



REPORT ON THE STATUS OF IMPLEMENTATION OF THE COLOMBIA FINAL ACCORD

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EXECUTIVE SUMMARY

This report presents the results of monitoring and analysis on the status of implementation of Colombia's Final Accord carried out by the Kroc Institute in response to the mandate assigned by the Government of Colombia and the FARC in section 6.3.2 of the Final Accord.

The work of the Kroc Institute is based on a rigorous methodology that combines validated empirical data with qualitative analysis of the implementation of the peace accord, presenting advancements regarding the implementation of the 558 stipulations, 74 sub-themes, and 18 themes into which the accord is organized. Within the framework of this methodology, stipulations are the smallest unit of analysis and represent measurable and observable commitments that require concrete actions. Stipulations are analyzed individually and also grouped into sub-themes and higher-level themes. The coding methodology for each one of the stipulations uses a four-point ordinal scale: (0) no implementation activity, (1) initiation of actions or minimal implementation, (2) intermediate progress that is on the way to being finalized within the stipulated period, and (3) full implementation.

The information presented is synthesized from more than 3,500 implementation events—occurring between December 1, 2016 and August 31, 2017—which have been validated and systematized in a database. These events have been coded to yield percentages of progress shown in the following tables. Other advancements after August 31 are presented in the text of the report, with the date and source of the information cited. The qualitative analysis includes information collected and validated through October 31, 2017. The qualitative analysis that accompanies the quantitative information has been gathered from spaces of dialogue and reflection shared with more than 180 territorial and national actors in Colombia, reflecting the plurality of the country, with which the Kroc Institute team has been building cooperative relationships.

The Nature of Implementation

The Colombian Peace Accord is a comprehensive and innovative document. It develops in a broad and balanced way the key themes related to ending the armed violence (ceasefire, cantonment, laying down of arms, reincorporation), as well as responding to essential themes (security guarantees, human rights and development-oriented measures, the fight against the problem of illicit drugs, and due management of the past and attention to victims).

Empirical findings of the Kroc Institute's Peace Accords Matrix project reveal that the effectiveness of a peace accord is mainly measured in the quality and robustness of its implementation, which is a difficult and highly complex process and does not usually respond to the pace of the expectations generated among the public or among the signatory parties of the





accord. The translation of the text of the Accord into implementation is not simple, direct, or automatic for these reasons:

- *Firstly, the multiplication of actors:* Implementation requires combining the continuity of dialogue and political negotiation between peace signatories with the inclusion of hundreds of new actors entering the implementation process: national and territorial entities of the executive branch and its thousands of officials and contractors, other independent state actors, active civil society groups, international cooperation actors, the private sector, ethnic groups, advocacy groups, community organizations, NGO platforms and networks, among many other new actors. This is not to mention illegal actors, violent groups and those who oppose the peace process frontally or surreptitiously.
- *Secondly, the leap from conception to implementation:* Implementing the accord requires a move from the political-theoretical sphere to a practical sphere focused on action: concrete, operative, and pragmatic territorial action, which has to give specific responses to millions of individuals and particular communities that legitimately see peace as a real possibility to transform their lives.
- *Thirdly, the time factor:* Implementation processes require progressive development; they are not instantaneous. The expectations generated in populations and territories are impossible to satisfy immediately given the breadth of the accord, the extension of the country, the limitation of resources, the bureaucratic logic and the actions of those who oppose the accord and intentionally impede its implementation.
- *Fourthly, the resistance to change:* Institutional and cultural dynamics, both among the actors that signed the accord and in society in general after many years of armed conflict, do not change immediately on signing a peace accord. Curbing the inertia of the logic of war—especially when there are opponents to the peace process relying on it—just like promoting and consolidating the logic of peace after the signing of the accord, is a slow process that requires multiple sustained efforts. The change is neither automatic nor spontaneous.

For these reasons, the Kroc Institute seeks to accompany the process and generate evidence-based academic input that facilitates political decision-making processes. This report intends to provide empirical input that aspires to contribute to the collaborative work being carried out between the parties and with Colombian society in general through respectful conversation and sustained dialogue despite the immense complexity and difficulty of implementing a peace accord.

[An Aggregate Look](#)

According to the analysis of the 558 stipulations that make up the Final Accord, Figure 1 shows that as of August 31, 2017, implementation activities were initiated in 251 stipulations (45%), with no activity initiated in 307 stipulations (55%). Approximately 17% of the stipulations in the Colombian Final Accord have been fully implemented; 6% have an intermediate level of implementation; and 22% have been minimally implemented. Almost a quarter of all stipulations of the Accord have been implemented on an intermediate or complete basis.





Figure 1: Implementation Status of 558 Stipulations

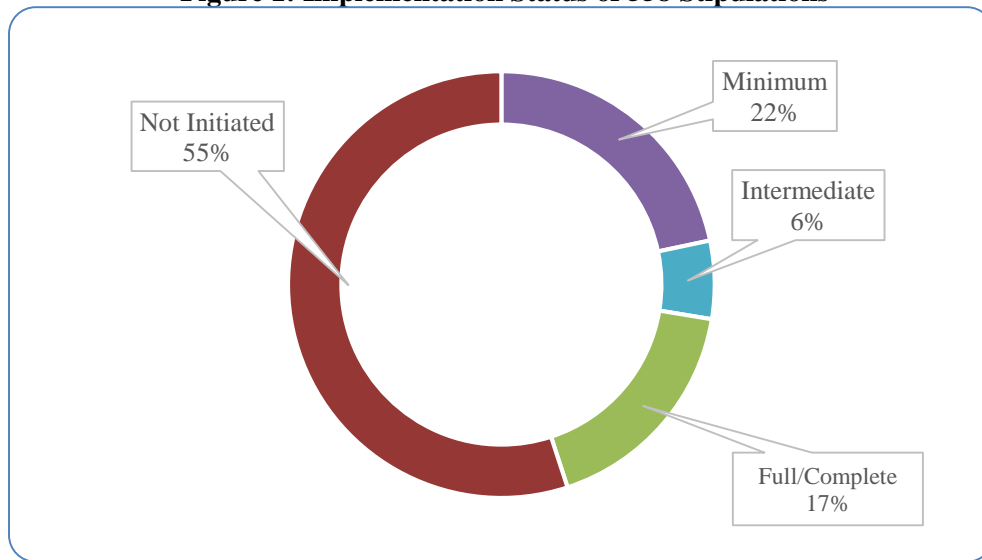
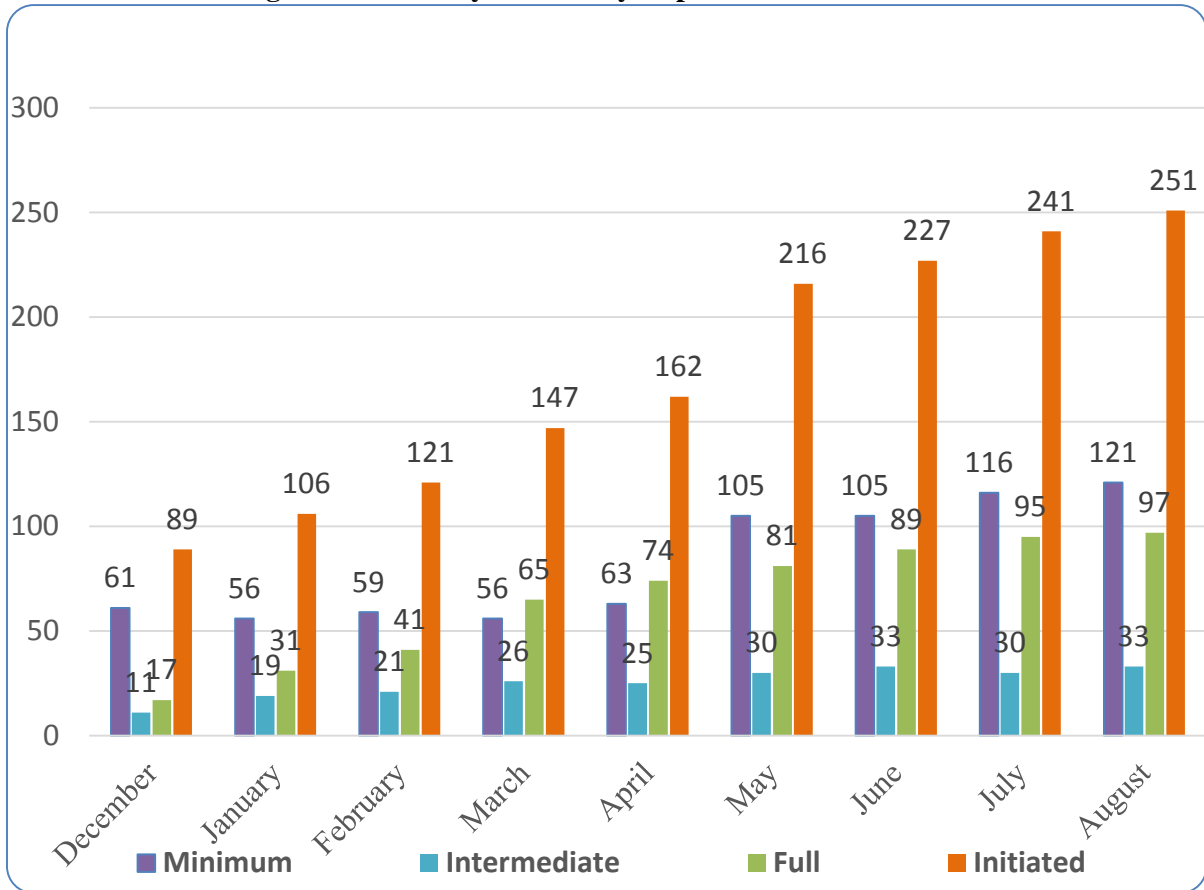


Figure 2 displays the monthly progress of the stipulations that have implementation activity from December 1, 2016 to August 31, 2017. This graph shows that the number of stipulations for which implementation has been initiated has increased on a monthly basis from 89 (16%) in December 2016 to 251 (45%) as of August 31, 2017. We see a steady progression of the number of stipulations reaching full implementation throughout the period. The share of stipulations that has moved from zero into the minimum and intermediate implementation categories has generally increased every month as well. Figure 2 considers the total number of stipulations with implementation initiated (orange bar) that represents the sum of the stipulations with minimum implementation (purple bar), intermediate (blue bar) and full (green bar) accumulated month after month.



Figure 2: Summary of Monthly Implementation Status



[A Detailed Look at Implementation Patterns](#)

The themes and sub-themes of the Peace Accord have been distributed into groups that, according to comparative experience, require robust implementation in one of the following time periods: short term, medium term or long term. This classification is neither rigid nor exhaustive, but it allows analysis of the relevance of sequences in the implementation process as well as detecting potential negative cascades, alerts, or obstacles. The body of the report includes a methodological discussion of the thematic groupings into short, medium and long term.

The Kroc Institute's interpretation of the current status of implementation of the Final Accord is that significant progress has been made and that there are difficulties that need to be addressed urgently and with strategic direction. The pace of implementation of the Accord in the first months of the process is equivalent to or faster than that of other comprehensive peace agreements analyzed by the Kroc Institute and, if the existing obstacles are overcome, the process will be on its way to effective implementation.¹

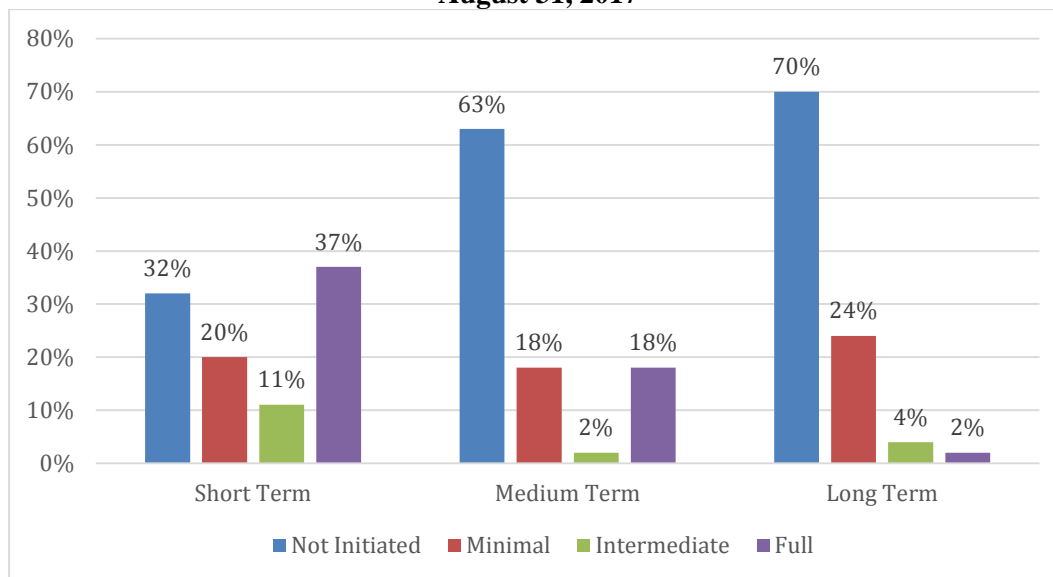


Advancements and Obstacles in Short-term Achievements

In our analysis, significant progress has been made in several short-term achievements, which lay the necessary foundations for the subsequent development of medium and long-term implementation objectives. The cessation of violence and the laying down of arms has been achieved in the first months after the signing of the Accord. The foundation for the implementation of the Accord have been built to some degree, such as the active functioning of the implementation and verification mechanisms, and several of the normative and institutional bases required for full implementation.

These conclusions arise from having identified 194 provisions (out of a total of 558) that require high levels of short-term implementation. As can be seen in Figure 3, 71 of these 194 provisions (37%) have been fully implemented. Another 22 (11%) are in the process of being fully implemented, and 20% have been initiated. Progress has not been observed in 62 (32%) of these stipulations.

Figure 3: Implementation of short, medium and long-term achievement priorities as of August 31, 2017



Based on Peace Accords Matrix methodology, the report assesses the pace of the implementation process of the Colombian Accord in comparison with other comprehensive peace agreement implementation processes. This comparison shows that the implementation of the Colombian Accord is on schedule in certain areas of its content, particularly those that require a high level of short-term achievements. Public perception in Colombia about the progress of implementation tends to show the glass half empty, yet a comparative reading shows a glass half full.

There are two concrete areas of short-term achievement that require more effective implementation with urgency: security guarantees and priorities for regulatory, legislative and administrative implementation.





First is to advance *the security and protection measures for ex-combatants of the FARC, human rights defenders, and communities in the territories*, with special attention to those who have assumed leadership roles in the implementation of the Accord. This is a priority of the highest level. If the security and protection situation of these key actors for the process does not improve, the effective participation of the FARC as a group in transition to a political party and to society in general is jeopardized. As noted in the full report, there are normative advancements and a security deployment planned in the Accord, but these are not yet effective at the territorial level, and the perception of security has not improved.

Secondly, it is urgently necessary *to process the pending normative, legislative, and administrative implementation priorities* needed to sustain many of the accord-mandated processes required for implementation. Of special importance is: legislation to create 16 new congressional seats in “special peace voting districts” in areas particularly affected by the armed conflict; a political and electoral reform law which includes wide-ranging reforms meant to open the political process to smaller political parties and the population in general; a regulatory law for the Special Jurisdiction for Peace which is a key part of the transitional justice structure; the legislative structure for the comprehensive rural reform stipulated in the Accord, including legislation on irrigation systems, agricultural innovation and a national land survey system; a bill that modifies law 152 of 194 which focuses on the National Development Plan and participative planning—another key part of the Colombian Accord; and, the law that develops a differentiated criminal treatment for small coca growers and cultivators. Without the approval of these laws, the legal security of the implementation process is put in jeopardy, and several of the really important areas for the sustainability of peace could collapse due to a negative cascading effect.

Advancements and Obstacles in the Medium Term

A total of 118 themes have been identified that require high levels of implementation in the medium term. As of August 31, 21 stipulations (18%) have already been fully implemented, another 2 (2%) are on track to being fully implemented; 21 (18%) have minimum implementation; and 74 (63%) have not begun implementation (Figure 3). The level of effective implementation is still low. Further progress is needed in some fundamental areas for this stage of implementation.

The first area needing progress is *the political, social, and economic reincorporation of ex-combatants*. It is necessary to give immediate programmatic responses to the entire population that is in the process of reincorporation, accelerating strategic and programmatic measures such as the creation of a comprehensive Reincorporation Program and the deployment of the Technical Unit for Reincorporation—a sub-unit of the National Reincorporation Agency charged with coordinating the reincorporation of the FARC. It is also important to facilitate the creation and assure the sustainability of ECOMUN—the FARC economic cooperative which will supervise livelihood projects for the FARC and collective reincorporation projects. Finally it is important to assure the regular functioning of the Regional Reincorporation Councils which will provide local inputs on reincorporation. Beyond the political debate about whether the reincorporation model is individual or collective or hybrid, it is indispensable to have different types of responses that meet the specific needs of the various groups that make up the whole population that participates in this process. It is necessary to advance the process of reincorporation with urgency, attending to the





differentiated needs of the ex-combatants and those imposed by the context of the different territories where reincorporation occurs. It is also necessary to define and specify the collective and rural programs for reincorporation, provide them with resources, and involve the FARC in the process, as well as clarify the legal situation of the ETCR (Territorial Spaces for Training and Reincorporation), where many former FARC members are currently living.

The process of laying down of arms has been successful. To consolidate this effort, the following are required:

- A successful reincorporation process, with security measures and guarantees to ex-combatants and key social actors
- Clarity in transitional justice mechanisms in the process of approval, and
- Successful completion of the process of amnesty and release of prisoners.

Comparative examples illustrate that if these objectives are not achieved in the transition from the short to the medium term, the uncertainty of the ex-combatants will increase and the violence can resurface in multiple ways—especially in territorial contexts where there are pressures and significant incentives from other illegal armed actors and criminal gangs. Peace becomes much more fragile, and implementation as a whole is threatened.

In this transition, it is also necessary to move forward in a more robust manner in the development of the multiple measures to reform the electoral system and also to enrich the quality of participation, including guarantees for opposition and the establishment of special peace voting districts. Also relevant is the development of Guarantees and Promotion of Citizen Participation and for Mobilization and Social Protest, the implementation of the National Council for Reconciliation and Coexistence, as well as measures to ensure the effective participation of women, ethnic communities and the population in the areas most affected by the conflict, including victims.

Advancements and Obstacles in the Long Term

The rest of the stipulations, totaling 246, are long-term achievements and depend to a large extent on the implementation of short and medium term priorities. To date, 30% of the stipulations in this category are in some stage of implementation. Only 2% has been fully implemented, 4% have an intermediate implementation level on track to being completed, and 24% (60 stipulations) have a minimum level of implementation (Figure 3).

Although the actual achievements of political reforms with long-term impact can take many years, the lack of effective progress on issues related to land use, economic development, rural reform, and the coordination of the processes of substitution of illicit-use crops is worrisome. Comparatively it is normal to have little activity at this stage; however, it is important to achieve early progress in these substantive areas. Many studies show that levels of economic development are strongly associated with a lower risk of recurrence of armed conflict.²

To prevent the emergence of violence in Colombia, further progress is needed on the issues considered to be the root of the conflict: access and use of land, and the economic and social development in the territories most affected by poverty, illegal economies, armed violence, and weak institutions.





The implementation processes are very fragile. Failure to address these issues can lead to blockages or to a loss of mutual trust between the parties and Colombian society in general, leading to a collapse of peace. There are strong foundations being built, but they must be solidified with further implementation. It is important to take note of the warning signs and focus on the implementation of the stipulations that point to medium and long-term achievements to strengthen the processes of a more in-depth transformation that allows a sustainable and quality peace for Colombia.

¹ The database of the Peace Accords Matrix can be found here: <https://peaceaccords.nd.edu> Those interested in technical elements can consult the "Peace Accords Matrix Implementation Dataset V.1.5" as well as various articles published in specialized journals <https://peaceaccords.nd.edu/research>.

² Collier, P., & Hoeffler, A. On the incidence of civil war in Africa. *Journal of conflict resolution*, 2002, vol. 46, no 1, pg. 13–28; Humphreys, M. Economics and violent conflict. Program on Humanitarian Policy and Conflict Research, Harvard University, February 2003.

